

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Lloyd Robert Desjarlais,

Case No. 12-cv-0349 (WMW/DTS)

Plaintiff,

v.

**ORDER ADOPTING  
REPORT AND  
RECOMMENDATION**

Lori Swanson, Governor Dayton, Dennis Benson, Lucinda Jesson, Cal Ludeman, Greg Carlson, Kevin Moser, Janine Hebert, Tom Lundquist, Elizabeth Barbo, Tara Osborne, Steve Sayavitz, Julie Rose, James R. Nobles, Terry Kneisel, Sara Kulas, Tim Pawlenty, Robert Rose, Blake Carey, Ron Fischer, Steve Sadjek, Sarah Herick, Scott Benoit, Linda Berglin, William Gullickson, Tim Gore, Ann Zimmerman, Eric Skon, Julianna Beavens, Debbie James, Sue Johnson, Jessica Olson, Nate Johnson, Laurie Severson, Troy Swartout, Jennifer Chesbrough, Tony Abbot, Craig Berg, Yvette Anderson, Thomas Pertler, Allison Collins, Linda Anderson, Dominique Wilson and Cass County Social Services Jane Doe,

Defendants.<sup>1</sup>

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Before the Court is the November 21, 2022 Report and Recommendation (R&R) of United States Magistrate Judge David T. Schultz. (Dkt. 19.) No objections to the R&R have been filed. In the absence of timely objections, this Court reviews an R&R for

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<sup>1</sup> Each sued in their individual capacity and in their official capacity as employees of the State Attorney General's Office, the Governor's Office and the Minnesota Department of Human Services.

clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The November 21, 2022 Report and Recommendation, (Dkt. 19), is **ADOPTED**.

2. Plaintiff Lloyd Robert Desjarlais's complaint, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE**.

3. Plaintiff Lloyd Robert Desjarlais's application for leave to proceed *in forma pauperis* in district court, (Dkt. 2), is **DENIED AS MOOT**.

4. Plaintiff Lloyd Robert Desjarlais's motion styled "MOTION THAT THE COURT NOT DISMISS THE ACTION PURSUANT TO FED. R. Civ. P. 41(b) FOR FAILURE TO PROSECUTE", (Dkt. 16), is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 10, 2023

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge